

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

JUN 18 2012

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	2 CA-CR 2012-0142-PR
)	DEPARTMENT A
Respondent,)	
)	<u>MEMORANDUM DECISION</u>
v.)	Not for Publication
)	Rule 111, Rules of
RANDY GRANT TRIMBLE,)	the Supreme Court
)	
Petitioner.)	
_____)	

PETITION FOR REVIEW FROM THE SUPERIOR COURT OF MARICOPA COUNTY

Cause No. CR2003026453001DT

Honorable Michael D. Jones, Judge

REVIEW GRANTED; RELIEF DENIED

Randy G. Trimble

Florence
In Propria Persona

H O W A R D, Chief Judge.

¶1 Petitioner Randy Trimble seeks review of the trial court’s order denying his successive petition for post-conviction relief, filed pursuant to Rule 32, Ariz. R. Crim. P. “We will not disturb a trial court’s ruling on a petition for post-conviction relief absent a clear abuse of discretion.” *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). Trimble has not sustained his burden of establishing such abuse here.

¶2 Pursuant to a plea agreement, Trimble was convicted of two counts of attempted child molestation. The trial court sentenced Trimble to an aggravated, 10.75-year prison term on the first count and suspended imposition of sentence on the second, placing Trimble on lifetime probation to begin upon his discharge from prison. Trimble thereafter initiated his first post-conviction relief proceeding, and the court denied relief. He petitioned for review, but review was denied. Trimble thereafter initiated two other post-conviction relief proceedings, both of which the court dismissed, and Trimble apparently did not seek review.

¶3 Trimble then filed a fourth petition and notice for post-conviction relief, arguing the Arizona Department of Corrections has calculated his release date improperly and that he was being held in custody unlawfully. In a well-reasoned minute entry, the trial court identified all claims Trimble had raised and resolved them correctly and in a manner permitting this court to review and determine the propriety of that order. *See State v. Whipple*, 177 Ariz. 272, 274, 866 P.2d 1358, 1360 (App. 1993). The court correctly concluded Trimble had not stated a claim for which relief could be granted in a

successive Rule 32 proceeding. No purpose would be served by reiterating the court's ruling in its entirety. *See id.* Rather, we adopt the ruling. Therefore, although we grant the petition for review, relief is denied.

/s/ Joseph W. Howard
JOSEPH W. HOWARD, Chief Judge

CONCURRING:

/s/ Peter J. Eckerstrom
PETER J. ECKERSTROM, Presiding Judge

/s/ J. William Brammer, Jr.
J. WILLIAM BRAMMER, JR., Judge